

Express Mail Label No. E 20186320US
Date of Deposit: September 26, 2003

Attorney Docket No.: 21486-032DIV1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Wands et al.
SERIAL NUMBER: 09/903,023 EXAMINER: Misook Yu
FILING DATE: July 11, 2001 ART UNIT: 1642
FOR: DIAGNOSIS AND TREATMENT OF MALIGNANT NEOPLASMS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE

This paper is in response to the Office Action mailed on March 26, 2003. With a three month extension of time, the due date for response is September 26, 2003.

Amendments to the specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims, which begins on page 3 of this paper.

Remarks/Arguments begin on page 7 of this paper.

1310
10-7-03
RECEIVED

OCT 03 2003

TECH CENTER 1600/2900



On page 17, after line 22, insert the following new paragraph.

Deposit of Biological Materials

Under the terms of the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purpose of Patent Procedure, hybridoma FB501 (which produces monoclonal antibody FB50; designated ATCC accession no. PTA 3386), hybridoma HA386A (which produces monoclonal antibody 86A; designated ATCC accession no. 3385), hybridoma HA15C7A (which produces monoclonal antibody 5C7; designated ATCC accession no. 3383), and hybridoma HA219B (which produces monoclonal antibody 19B; designated ATCC accession no. 3384) were deposited on May 17, 2001, with the American Type Culture Collection (ATCC) of 10801 University Boulevard, Manassas, Va. 20110-2209 USA..

Applicants' assignee represents that the ATCC is a depository affording permanence of the deposit and ready accessibility thereto by the public if a patent is granted. All restrictions on the availability to the public of the material so deposited will be irrevocably removed upon the granting of a patent. The material will be available during the pendency of the patent application to one determined by the Commissioner to be entitled thereto under 37 CFR 1.14 and 35 U.S.C. 122. The deposited material will be maintained with all the care necessary to keep it viable and uncontaminated for a period of at least five years after the most recent request for the furnishing of a sample of the deposited plasmid, and in any case, for a period of at least thirty (30) years after the date of deposit or for the enforceable life of the patent, whichever period is longer. Applicant's assignee acknowledges its duty to replace the deposit should the depository be unable to furnish a sample when requested due to the condition of the deposit.
